

**HOUSE JOURNAL
63RD LEGISLATURE
FORTIETH LEGISLATIVE DAY**

Helena, Montana
February 22, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Flynn. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Warburton, excused. Quorum present.

BILLS (O'Hara, Chair):

2/22/2013

Correctly printed: **HB 240, HB 297, HB 355, HB 369, HB 373, HB 393, HB 401, HB 451, HB 484, HB 485, HB 497, HB 500, HB 502, HB 531, HB 533, HB 534, HB 544, HB 552, HB 554, HB 562, HB 564, HB 569, HB 570, HB 572, HJR 13, HJR 14.**

Correctly engrossed: **HB 314, HB 329, HB 344, HB 437, HB 461, HB 465, HB 498, HB 499, HB 555.**

Correctly enrolled: **HB 63, HB 77, HB 81.**

Examined by the sponsor and found to be correct: **HB 47, HB 114, HB 115, HB 169, HB 193.**

Transmitted to the Senate: **HB 170, HB 254, HB 255, HB 359, HB 392, HB 446, HB 463, HB 469.**

Signed by the Speaker at 4:25 p.m., February 22, 2013: **HB 47, HB 114, HB 115, HB 169, HB 193.**

Signed by the Chief Clerk of the House at 4:33 p.m., February 22, 2013: **HB 47, HB 114, HB 115, HB 169, HB 193.**

Signed by the Speaker at 10:40 a.m., February 22, 2013: **HB 18, HB 138, HB 141, HB 202.**

Signed by the Chief Clerk of the House at 10:50 a.m., February 22, 2013: **HB 18, HB 138, HB 141, HB 202.**

Signed by the President at 5:30 p.m., February 22, 2013: **HB 18, HB 47, HB 114, HB 115, HB 138, HB 141, HB 169, HB 193, HB 202.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Randall, Chair):

2/21/2013

HB 344, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "INCREASING BOND REQUIREMENTS;"

Insert: "AND"

2. Title, page 1, line 6.

Strike: "; AND AMENDING" through "80-4-604, MCA"

3. Page 1, line 19 through page 3, line 11.

Strike: section 2 through section 4 in their entirety

ReNUMBER: subsequent section

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 22, 2013

And, as amended, do pass. Report adopted.

HB 484, do pass. Report adopted.

HB 502, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

2/22/2013

HB 534, do pass. Report adopted.

HB 544, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Welborn, Chair):

2/21/2013

HB 401, do pass. Report adopted.

HB 533, do pass. Report adopted.

JUDICIARY (Kerns, Chair):

2/22/2013

HB 555, introduced bill, be amended as follows:

1. Title, page 1, lines 10 and 11.

Strike: "REQUIRING MEDIATORS TO HAVE KNOWLEDGE IN THE AREA OF DOMESTIC VIOLENCE;"

Insert: "ALLOWING MEDIATIONS TO BE CONDUCTED BY MEDIATORS WHO ARE TRAINED IN MEDIATING DOMESTIC VIOLENCE CASES;"

2. Page 3, line 27.

Strike: "must"

Insert: "may"

And, as amended, do pass. Report adopted.

HB 562, do pass. Report adopted.

HB 564, do pass. Report adopted.

HJR 13, do pass. Report adopted.

LOCAL GOVERNMENT (Bangerter, Chair):

2/21/2013

HB 437, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "A PUBLIC HEARING"

Insert: "AT LEAST TWO PUBLIC HEARINGS"

2. Title, line 7.

Following: "DISTRICT;"

Strike: "AND"

3. Title, line 8.

Following: "MCA"

Strike: Insert "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 22, 2013

4. Page 1, line 20.

Strike: "one"

Insert: "two"

Strike: "hearing"

Insert: "hearings"

Following: "Notice of"

Strike: "the"

Insert: "each"

5. Page 1, line 21.

Following: "7-1-2121,"

Strike: "the"

Insert: "each"

6. Page 1, line 26.

Strike: "hearing"

Insert: "hearings"

7. Page 4.

Following: line 20

Insert: "NEW SECTION. Section 5. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 451, do pass. Report adopted.

HB 461, introduced bill, be amended as follows:

1. Page 1, line 30.

Strike: "\$500"

Insert: "\$225"

2. Page 1, line 30.

Following: "month"

Insert: ", except that the pension may be set by the board of trustees of an association and a city at an amount not to exceed \$300 a month if the association's fund is soundly funded, as provided in 19-18-503"

And, as amended, do pass. Report adopted.

HB 465, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "AND"

Following: "MCA"

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 22, 2013

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 1, line 17.

Strike: "\$10"

Insert: "\$25"

3. Page 1, line 18.

Strike: "by" through "department"

4. Page 2, line 15.

Following: line 14

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2013."

And, as amended, do pass. Report adopted.

HB 485, do pass. Report adopted.

HB 497, do pass. Report adopted.

HB 499, introduced bill, be amended as follows:

1. Page 2, line 14.

Following: "(3) A"

Insert: "sale, rent, lease, or other"

And, as amended, do pass. Report adopted.

HB 531, do pass. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair):

2/22/2013

HB 329, introduced bill, be amended as follows:

1. Page 6, line 21 through line 22.

Strike: "or a state" on line 21 through "position" on line 22

2. Page 8, line 5 through line 7.

Following: "the state" on line 5

Strike: "a member" on line 5 through "state" on line 7

Insert: "who is not elected or appointed"

And, as amended, do pass. Report adopted.

HB 498, introduced bill, be amended as follows:

1. Page 1, line 11.

Strike: "\$2 per year or fraction of a year"

Insert: "\$16"

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 22, 2013

2. Page 1, line 12.

Following: "fund"

Insert: ", except that the fee for a card issued under subsection (3)(b) is \$8"

3. Page 1, line 20.

Following: "birthday"

Insert: "4 years after the card's issue date"

And, as amended, do pass. Report adopted.

HB 552, do pass. Report adopted.

HB 554, do pass. Report adopted.

TAXATION (Miller, Chair):

2/22/2013

HB 373, do pass. Report adopted.

HB 393, do pass. Report adopted.

HB 500, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/21/2013

HB 169, introduced by White

HB 193, introduced by Hagan

Senate bills passed and transmitted to the House for concurrence:

2/21/2013

SB 107, introduced by Facey

SB 125, introduced by Olson

SB 212, introduced by Hamlett

SB 217, introduced by Hamlett

SB 245, introduced by Arthun

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 569, introduced by Reichner, referred to Taxation.

HB 570, introduced by Woods, Schwaderer, referred to Transportation.

HB 572, introduced by B. Bennett, Clark, Laszloffy, Miller, D. Moore, Randall, Zolnikov, referred to Business and Labor.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 14, introduced by Jacobson, Blasdel, Eck, Hansen, Hunter, Knudsen, McClafferty, Mehlhoff,

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 22, 2013

Miller, Price, C. Smith, Wilson, Zolnikov, referred to Education.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Blyton in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 240 - Representative C. Smith moved **HB 240** do pass.

HB 240 - Representative Edmunds moved for cloture. Motion Carried. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McClafferty, McNally, McNiven, Miller, Moore, Neill, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 82

Nays: B. Bennett, Boland, Brockie, Coffin, Dudik, Gursky, Jacobson, Lieser, Lynch, MacDonald, Mehlhoff, Noonan, O'Hara, Peppers, Price, B. Smith, Swanson.

Total 17

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 240 - Representative C. Smith moved **HB 240** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy,

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 22, 2013

Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 56

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagstrom, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 44

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

On a **Point of Personal Privilege**-Representative Coffin noted that at no time during the debate on **HB 240** did the record include Montana University's current policies.

HB 297 - Representative Howard moved **HB 297** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Hara, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 56

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Edmunds, Gursky, Hagstrom, Hill, Hollenbaugh, Hunter, Jones, Kerns, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 44

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 22, 2013

Absent or not voting: None.

Total 0

HB 314 - Representative Kary moved **HB 314**, second reading copy, be amended as follows:

1. Page 5, line 2.

Strike: "SUPPORT OF"

Insert: "opposition to"

2. Page 5, line 4 through line 5.

Strike: "HOWEVER" on line 4 through "DISTRICT." on line 5

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 50

Nays: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Gibson, Gursky, Hertz, Hill, Hollenbaugh, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 50

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 314 - Representative D. Jones moved **HB 314**, second reading copy, be amended as follows:

1. Page 5, line 18.

Following: "assessment,"

Insert: "and if the governing body decides to proceed with proposing the district,"

Amendment adopted as follows:

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 22, 2013

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: Ankney, Berry, Fiscus, Lynch, MacDonald, Noonan, Shaw, Welborn, White.

Total 9

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 314 - Representative Fiscus moved **HB 314**, second reading copy, be amended as follows:

1. Title, line 5.

Strike: "A GOVERNING BODY TO ORDER A REFERENDUM ON THE"

Insert: "FOR"

Following: "DISTRICT"

Insert: "BY PETITION OR REFERENDUM"

2. Page 1, line 27 through line 29.

Strike: ":", on line 27 through "(ii)" on line 29

3. Page 3, line 22.

Following: "body"

Insert: "to order a referendum"

4. Page 7, line 8 through line 11.

Strike: subsection (3) in its entirety

Amendment **not** adopted as follows:

Yeas: J. Bennett, Berry, Brodehl, Clark, Cuffe, Doane, Edmunds, Fiscus, Harris, Jones, Kerns, Lang, O'Neil, Osmundson, Regier, Schwaderer, C. Smith, Vance, Wagoner, Warburton,

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 22, 2013

Zolnikov.
Total 21

Nays: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 79

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 314 - Representative Kary moved **HB 314**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Doane, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Zolnikov, Mr. Speaker.
Total 77

Nays: J. Bennett, Berry, Brodehl, Cuffe, Curtis, Edmunds, Fiscus, Halvorson, Hansen, Harris, Ingraham, Kerns, Lynch, MacDonald, McClafferty, Noonan, O'Neil, Redfield, Regier, Schreiner, Vance, Wagoner, Woods.
Total 23

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 22, 2013

HB 355 - Representative Clark moved **HB 355** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Glimm, Greef, Gursky, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, B. Smith, C. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 78

Nays: Ankney, J. Bennett, Brodehl, Cuffe, Doane, Gibson, Hagan, Halvorson, Kerns, Lang, Laszloffy, Lenz, Miller, O'Neil, Schwaderer, Shaw, Vance, Wagoner, Welborn, White, Zolnikov.
Total 21

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: Fiscus.
Total 1

HB 358 - Representative Kerns moved **HB 358** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 48

Nays: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 52

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 22, 2013

Absent or not voting: None.

Total 0

HB 369 - Representative Fitzpatrick moved **HB 369** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 58

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Harris, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: Berry.

Total 1

HB 375 - Representative Ballance moved **HB 375** do pass. Motion **failed** as follows:

Yeas: Ballance, Blyton, Clark, Connell, Doane, Edmunds, Fiscus, Galt, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hollandsworth, Hoven, Howard, Knudsen, Lenz, Miller, Moore, Osmundson, Peppers, Randall, Redfield, Regier, Reichner, Salomon, Vance, White, Zolnikov, Mr. Speaker.

Total 32

Nays: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Gibson, Gursky, Hagstrom, Hertz, Hill, Hollenbaugh, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 67

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 22, 2013

Voted Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: Flynn.

Total 1

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Blyton moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 68

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Coffin, Dudik, Gursky, Harris, Hollenbaugh, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Swanson, Whitford, Williams, Wilson, Woods.

Total 29

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Blyton, Fiscus.

Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 8 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson,

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 22, 2013

Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: Brodehl, Kerns.
Total 2

Voted Absentee: None.

Excused: Warburton.
Total 1

Absent or not voting: None.
Total 0

HB 205 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.
Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.
Total 37

Voted Absentee: None.

Excused: Warburton.
Total 1

Absent or not voting: Greef.
Total 1

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 22, 2013

HB 274 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNally, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Williams, Zolnikov, Mr. Speaker.
Total 69

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Mehlhoff, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Swanson, Whitford, Wilmer, Wilson, Woods.
Total 30

Voted Absentee: None.

Excused: Warburton.
Total 1

Absent or not voting: None.
Total 0

HB 302 passed as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 56

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 42

Voted Absentee: None.

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 22, 2013

Excused: Warburton.

Total 1

Absent or not voting: Lavin.

Total 1

HB 304 passed as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, White, Zolnikov, Mr. Speaker.

Total 58

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 368 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 22, 2013

Total 98

Nays: Harris.

Total 1

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 414 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 422 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan,

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 22, 2013

Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski,

Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Hoven, Jones.

Total 2

MOTIONS

Majority Leader Vance moved **HB 297** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 355** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 498** be moved from the Committee of the Whole to the State Administration committee.

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 508**
Motion carried.

HB 508 (Edmunds Chief Sponsor)

Arntzen.

SPECIAL ORDERS OF THE DAY

Representative Blyton thanked the pages for their service this week.

HOUSE JOURNAL
FORTIETH LEGISLATIVE DAY - FEBRUARY 22, 2013

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 8:00 a.m., Saturday, February 23, 2013. Motion carried.

House adjourned at 3:15 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House